

NORFOLK, VIRGINIA

SPECIAL SESSION OF COUNCIL

TUESDAY, JUNE 12, 2012

President Fraim called the meeting to order at 4:03 p.m. with the following members present: Mr. Burfoot, Mr. Protogyrou, Mr. Riddick, Mr. Smigiel, Ms. Williams and Mr. Winn. Dr. Whibley arrived at 5:30 p.m.

He thereupon called for the first item of business.

A. UPDATE ON COMMUNITY SERVICES BOARD TRANSITION

Anne Odell, Assistant City Manager reported:

- 5 ordinances are on tonight's agenda to transition the Community Services Board into the city.
- The content of the ordinances was reviewed.

B. CLOSED SESSION

Motion for closed session was approved for purposes which are set out in Clause 7 of subsection (A) of Section 2.2-3711 of the Virginia Freedom of Information Act, as amended:

- (7) Consultation with legal counsel and briefings by staff members, consultants or attorneys pertaining to one legal matter regarding Waterside.

Yes: Burfoot, Protogyrou, Riddick, Smigiel, Williams, Winn and Fraim.

No: None.

Absent: Whibley.

C. COUNCIL INTERESTS

1. Councilman Winn provided the City Manager with written concerns regarding a) clean up work on Lake Whitehurst and b) vacant apartments on Kingston Avenue.
2. Councilwoman Whibley: a) expressed concern with obstacles on pedestrian-ways for disabled citizens and provided photographs. She asked for an update on where the city stands in making the city obstacle free for disabled citizens; and b) suggested developing a process whereby views of civic leagues are known before planning matters are put on the Council Agenda.
3. Vice Mayor Burfoot stated that they need a better way to address code issues and nuisance abatement issues. He asked the administration to find a way to expedite the process for derelict structures and also asked that the City Attorney's Office be more involved in the process.
4. Councilman Smigiel asked for a code inspector to drive down Ocean View Avenue to address concerns with overgrown vacant lots. He received complaints from runners about the overgrowth taking over the sidewalks and also noted that some cyclists are complaining about the overgrowth on the sidewalks as well.
5. Mayor Fraim and Vice Mayor Burfoot complimented Karen Scherberger and thanked city staff for their hard work in making OpSail/Harborfest a success.

D. AGENDA ITEMS FOR JUNE 26th MEETING- FRANK DUKE

- A. **Mega Mart** – for a **Special Exception** for off-premises ABC sales for Mega Mart on Sewells Point Road located in the Coronado/Inglenook neighborhood. The proposed hours of operation are from 10 a.m. to 10 p.m., Monday through Saturday and from 2 p.m. to 10 p.m. on Sunday. The recommendation of staff is for approval. The Planning Commission vote was three-to-three and according to the bylaws of the Planning Commission, this comes to City Council with a recommendation of denial.
- B. **Westside Produce - 5015 Colley Avenue**
 - This is for a **Special Exception** for off-premises ABC sales.
 - Staff and Planning Commission recommend approval.

C. **Chow Gourmet Diner – 5103 Colley Avenue**

- This is for a **Special Exception** for an eating and drinking establishment.
- Staff and Planning Commission recommend approval.

D. **Boardwalk Fresh Burgers & Fries – 4200 Monarch Way**

- This is for a **Special Exception** for an eating and drinking establishment.
- Staff and Planning Commission recommend approval.

E. **Hokkaido – 233 Granby Street**

- This is for a **Special Exception** for an eating and drinking establishment.
- Staff and Planning Commission recommend approval.

F. **Lolas Enterprise – 328 West 20th Street**

- This is for a **Special Exception** for an entertainment establishment.
- Staff and Planning Commission recommend approval.

G. **State Farm Insurance – 733 Boush Street**

- This is for an encroachment for a sign
- Staff recommends approval; Planning Commission recommends denial with the majority feeling the sign should be moved to the roof line; the minority noted it is consistent with ordinance requirements.